FEB .2 8 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Ann No.:

10/643,780

Confirmation No.: 4113

Applicant(s):

Lloyd Randall Anderson

Filed:

August 19, 2003

Art Unit:

3712

Examiner:

Urszula M. Cegielnik

Title:

RIGID BALLOON

Docket No.:

047982/268782

Customer No.: 00826

Mail Stop AF

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

NOTICE OF APPEAL TO THE BOARD OF PATENT APPEALS AND INTERFERENCES (37 C.F.R. § 43.31)

Applicant in the above-identified patent application hereby appeals to the Board of Appeals and Interferences from the decision dated October 19, 2004, rejecting the following Claims 1-5.

The fee for this Notice of Appeal under 37 CFR § 41.20(b)(1) is enclosed.

Applicant claims small entity Status.

A check is enclosed.

(\$500.00 for large entity fee or \$250.00 if small entity status)

Please charge Deposit Account No. 16-0605 for the Notice of Appeal Filing Fee.

Any additional fee or refund may be charged to our

Deposit Account No. 16-0605.

A petition for an extension of time under 37 CFR § 1.136(a) is enclosed.

03/01/2005 HALI11

00000043 10643780

01 FC:2401

250.00 OP

Respectfully submitted,

W. Kevin Ransom Registration No. 45,031

Customer No. 00826 ALSTON & BIRD LLP

Bank of America Plaza

101 South Tryon Street, Suite 4000

Charlotte, NC 28280-4000

Pline

Tel Charlotte Office (704) 444-1000

Fax Charlotte Office (704) 444-1111

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Mail Stop, AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on February 21, 2005.

Elaine Kelly

CLT01/4697155v1

312